

**WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY**  
**SPECIAL MEETING AND PUBLIC HEARING MINUTES**  
**CITY OF RENTON**  
**QUERIN ANNEXATION (FILE NO. 2222)**  
**MAY 22, 2006**

**SPECIAL MEETING/PUBLIC HEARING (CONTINUED)**

**I. CALL TO ORDER**

Charles Booth, Chair, convened the meeting of May 22, 2006 at 7:05 PM.

**II. ROLL CALL**

The following members were present at the Special Meeting and Public Hearing:

A. J. Culver  
Ethel Hanis  
Roger Loschen

Lynn Guttman  
Claudia Hirschey  
Michael Marchand

**III. PUBLIC HEARING**

INTRODUCTION:

Chair Booth stated that the Boundary Review Board is charged with the task of providing independent review and decision-making with respect to applications for municipal annexation. Chair Booth opened the meeting by stating the standards for a quasi-judicial public hearing and the scope of the hearing.

Chair Booth reported that purpose of the Special Meeting is to conduct a Public Hearing on the Querin Area Annexation (Expanded), based on an initial proposal submitted by the City of Renton to the Boundary Review Board in December 2005 together with an invoking of jurisdiction by the City of Renton to modify the Querin Area by the addition of 17 acres – for a total annexation of 24 acres.

The City requested that the Board consider the proposed Querin Area Annexation (Expanded) based upon the following factors:

- The proposed annexation of the Querin Area (Expanded) is located within Renton's Potential Annexation Area
- The inclusion of Querin Area (Expanded) in the City of Renton would reportedly provide more practical boundaries and logical area for community governance.
- The inclusion of the Querin Area (Expanded) in the City of Renton would reportedly provide more practical boundaries and logical area for services to the community.
- The State Growth Management Act and the King County Comprehensive Plan both establish local jurisdictions as the appropriate units to govern urban areas.

On May 16, 2006, the Boundary Review Board reviewed the initial Querin Area Annexation (7 acres). At the conclusion of the Special Meeting/Public Hearing, the Board voted unanimously to continue the Public Hearing to review Renton's proposal for the Querin Area (Expanded) Annexation. The continued Special Meeting/Public Hearing was scheduled for May 22, 2006.

Following the conclusion of the Special Meeting/Public Hearing, the Boundary Review Board will deliberate and make a decision with respect to the Querin Area (Expanded). The Board must consider the Querin Area Annexation (Expanded), based upon the state, regional, and local regulations which guide annexations. Pursuant to RCW 36.93, the Board can: (1) approve the Querin Area Annexation as proposed by the City of Renton; or (2) modify the Querin Area Annexation to include the Querin Area Annexation (Expanded), as requested by City of Renton; or deny the entire Querin Area Annexation.

PROPONENT PRESENTATION: City of Renton – Donald Erickson, Senior Planner – Department of Economic Development, Neighborhoods & Strategic Planning

On behalf of the City of Renton, Mr. Erickson presented the proposed Querin Area (Expanded) Annexation. Mr. Erickson responded to inquiries by the Boundary Review Board members. Following is a summary of the statement (including responses to inquiries).

Mr. Erickson reported that the City of Renton initially proposed annexation of the Querin Area (7 acres) at the request of the property owners, under the 60% petition method, pursuant to RCW 35A.14. The City of Renton has conducted several public review processes for the proposed Querin Area Annexation including:

- Information meetings relating to proposals for annexation/changes in governance;
- Information meetings relating to zoning plans, development regulations, and service plans;
- City Council hearings relating to proposals for annexation/changes in governance;
- City Council hearings relating to proposals for zoning plans, development regulations, and service plans.

Renton's City Council adopted the petition for the Querin Area (7 acres) in November 2005 (and invoked jurisdiction) for the Querin Area (Expanded) (24 acres) to enable the community to participate in the governance planning process.

Mr. Erickson stated that, while the City of Renton supports the initially proposed Querin Area Annexation (7 acres), the City is seeking the addition of 17 acres – defined as Querin Area (Expanded) – in order to achieve more consistent compliance with municipal policies, County policies, and the state laws (e.g., Chapter 36.93 RCW, 36.70A RCW) which call for local governance of urban areas.

The City would have considered citizen requests for the annexation of the Querin Area (Expanded) because that method of annexation is more orderly. However, as no expression of citizen interest in expansion of the annexation was offered during the course of the City's public review of the Querin Area, the City determined that invoking of jurisdiction would be the most effective method to provide for local government for the Querin Area (Expanded).

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The entire Querin Area (Expanded) is located on the east side of the City of Renton. The Querin Area (Expanded) boundaries are more specifically described as follows:

- The northern boundary of the site is formed by Sunset Highway; this boundary is contiguous with the existing Renton city limits.
- The southern boundary of the site is generally formed by the SE 114<sup>th</sup> Street (if extended); this boundary is contiguous with the existing Renton city limits.
- The western boundary is variously formed by Hoquiam Avenue/142<sup>nd</sup> Avenue SE and by 141<sup>st</sup> Avenue SE (if extended); this boundary is contiguous with the existing Renton city limits.
- The eastern boundary is generally formed by 144<sup>th</sup> Avenue SE.

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Mr. Erickson described the Querin Area (Expanded) (24 acres) as an urban community with both developed and vacant residential lands. The initially proposed Querin Area site includes three single-family homes; the remainder of the property is currently vacant. The Querin Area (Expanded) currently includes approximately 17 residential dwellings. There is also limited vacant land located within the Querin Area (Expanded).

Mr. Erickson reported that the Querin Area also hosts environmentally sensitive features. Both the original Querin Area and the Querin Area (Expanded) are described as having variable topography (including landslide and erosion areas) currently characterized by substantial natural vegetation and some open space. Honey Creek traverses the entire Querin Area. Class 2 wetlands also exist in the Querin Area.

Mr. Erickson reported that the City of Renton's request for annexation of the Querin Area (Expanded) is based upon the fact that the entire territory is identified within the City's Comprehensive Plan. The Querin Area (Expanded) is included in the Comprehensive Plan "Annexation Element" and it is located within the Renton Potential Annexation Area. The proposed action is based upon Renton Comprehensive Plan policies addressing annexation, including those provisions which call for inclusion of urban areas within the City for local governance (e.g., LU-378, LU-386, LU-388) and provision of services to incorporated areas (e.g., LU-36; LU-41, LU-42).

Mr. Erickson stated that the City has established its interest in governing and capacity to serve these properties through inclusion of the entire territory in comprehensive plans for land use management, service provision, environmental protection, and funding for governance. The City of Renton has, further, established regulatory standards both for land uses on the Querin Area (Expanded) site and for preservation of the existing critical areas.

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The City of Renton reports that the proposed annexation also conforms to the State Growth Management Act (RCW 36.70A.) For example, the annexation is supported by RCW 36.70.20, which requires community planning goals, for urban growth, services and infrastructure, and environmental preservation. Additionally, the application reportedly is consistent with RCW 36.70A.020 (1), encouraging development in urban areas where there are adequate public services. It is also consistent with RCW 36.70A.020 (12), which calls for public services to support permitted development. Annexation would also permit urban growth – and protection of environmentally sensitive areas – as envisioned in the Growth Management Act.

Further, Mr. Erickson reported that the Querin Annexation would be consistent with the King County Comprehensive Plan. He provided examples of King County Comprehensive Plan/Countywide Planning Policies that are addressed by the proposed Querin Area (Expanded) Annexation:

FW-13: Cities are the appropriate providers of local urban services to Urban Areas.

LU-31: The County should identify urban development areas within the Urban Growth Area.

LU-32: The County should encourage cities to annex territory within their designated potential annexation area.

LU-33: Land within a city's potential annexation area shall be developed according to local and regional growth phasing plans.

U-203: Population growth should be encouraged in Urban Growth Areas.

U-204: The County should support annexations that are consistent with Countywide Planning Policies and the State Growth Management Act.

U-208: Land capacity shall be provided for residential, commercial and industrial growth.

U-304: Growth should be focused within city boundaries.

Further, the King County Annexation Initiative supports the near-term transition of urban unincorporated areas into local jurisdictions.

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Based upon the State Growth Management Act (36.70A RCW), the King County Comprehensive Plan, the City Comprehensive Plan, the City of Renton has planned for growth of residential development in this established urban area through the institution of land use regulations and service standards (e.g., utilities, public facilities, infrastructure). The City is prepared to provide planning guidelines and to apply regulatory standards to ongoing uses and new development in the Querin Area (Expanded).

More specifically, Renton officials have established proposed land use designations and zoning designations for the Querin Area (Expanded). These designations are intended to address the characteristics of the existing and potential built environment, as well as the significant natural

environmental features. The City has proposed to designate the western and southern portions of the Querin Area for single-family residential use at approximately 8 dwelling units per acre. The northern portion of the Querin Area includes more sensitive areas suitable only for more limited use – ranging from one dwelling unit per net acre to no more than four dwelling units per net acre. At full development, a maximum of 64 homes would be permitted in the Querin Area (Expanded).

A significant portion of the Querin Area (Expanded) hosts environmentally sensitive features (e.g., Honey Creek, Class 2 wetlands, sloped terrain). The City would apply standards for protection for these environmentally sensitive areas. Measures to mitigate development-related impacts (e.g., transportation systems, infrastructure, sewer service, storm water management, critical area management) would be required in conjunction with that environmental review process. Such protections would be based upon local, regional and state regulations for protection of environmentally sensitive areas.

The City of Renton is reportedly able to provide directly (or by contract) a full range of services to the entirety of the Querin Area (Expanded). More specifically, upon annexation, the City is prepared to provide police services to the entire Querin Area. The City and Fire Prevention District No. 25 will provide fire services and emergency medical services. The City will also establish storm water management system requirements for the Querin Area. The City of Renton and Water District No. 90 will continue to provide water service to the Querin Area. The City of Renton will provide sewer services to the Querin Area.

City and County library facilities, and parks and recreation facilities (slated for improvements) would be available to the community. The City would provide for human services and law and justice services. Children would continue to attend schools in Renton School District No. 403.

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The City of Renton has conducted fiscal analyses related to the proposed Querin Annexation. Revenue is based upon a fair share of the City's levy rates. Costs are related to state revenues, local property assessments, and city costs. These costs are generally based upon an averaged estimate of per capita use (e.g., police, parks, sewers).

At current development the City estimates revenue from the Querin Area (Expanded) in the amount of \$21,297; costs are estimated at \$24,512. At present the City will realize a deficit of \$3,215. At full development, City expenditures are estimated at \$121,027 and revenues are estimated at \$143,722. Based upon this analysis, the City will realize a surplus of \$22,695 at full development.

Following annexation, property owners will no longer pay County taxes for services and would, then, assume their share of the City's regular and special levy rates for capital facilities and public services. Further, the City has established a plan whereby building and maintenance of roadways will be funded in part by the developer of new homes and in part by the City of Renton.

Mr. Erickson stated that, both at current development (with a modest deficit) and at full development, the City will have sufficient funds to serve the area without a significant impact on cost and adequacy of services, finances, debt structure or rights of other governmental units. Future capital needs and costs will be examined and funded through the Renton Capital Investment Program. Studies reportedly demonstrate that the City would be able to sustain levels of service to the entire community at reasonable customer rates including sewer service and water service to individual properties.

Future capital needs and costs will be examined and funded through the Renton Capital Investment Program.

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Mr. Erickson stated that the City has proposed the Querin Area (Expanded) Annexation in keeping with state law which guides annexations (Chapter 36.93 RCW – e.g., RCW 36.93.170 and RCW 36.93.180). More specifically, City officials report that the currently proposed Querin Area (Expanded) Annexation would achieve RCW 36.93.180 Objective 1, which calls for the preservation of neighborhoods. This area is part of a greater territory that is linked to Renton by social fabric (e.g., similar land uses, shared sense of community) and by natural geographic features (e.g., topography, open spaces, water courses). This annexation would also be generally consistent with Objective 2 which calls for physical boundaries to delineate an annexation, as the Querin Area (Expanded) uses physical boundaries including roadways and natural features (NE Sunset Boulevard, Hoquiam Avenue). Similarly the Querin Area Annexation (Expanded) would address Objective 3, which calls for creation of logical service areas, and Objectives 4-7, which call for the achievement of reasonable boundaries for a jurisdiction. The Querin Area (Expanded) includes more designated land within the City of Renton which enables the enhancement of uniform governance and services. This annexation would also be consistent with Objective 8, because it includes designated urban area within the municipality of Renton.

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The City of Renton supports annexation of these urban properties in order to immediately begin to provide synchronized governance to citizens of the area. If the Querin Area (Expanded) Annexation is achieved, then the City will meet with citizens to provide information concerning plans and provisions for local governance.

The greater interest of the community would also be served by annexation of the entire Querin Area (Expanded).

#### OPPONENT PRESENTATION:

No jurisdiction came forward to oppose the Querin Area Annexation (Expanded).

#### OTHER GOVERNMENT JURISDICTIONS:

King County representative Gwen Clemens (Office of the King County Executive – Office of Management and Budget) testified on May 16, 2006 in support of the Querin Area (Expanded) Annexation. At that meeting, Ms. Clemens reported that King County supports annexation of the Querin Area (Expanded) to Renton, based upon the fact that this action is consistent with RCW 36.93., RCW 36.70A, et seq. The incorporation of the Querin Area (Expanded) is also consistent with other state, regional and local guidelines.

No jurisdiction came forward on May 22, 2006 to speak to the Querin Area (Expanded) Annexation.

#### GENERAL TESTIMONY:

No public testimony was offered with respect to the Querin Area Annexation.

REBUTTAL City of Renton – Donald Erickson, Senior Planner – Department of Economic Development, Neighborhoods & Strategic Planning

Mr. Erickson waived the opportunity for rebuttal at this Public Hearing.

#### **IV. DETERMINATION OF THE STATUS OF THE PUBLIC HEARING**

At the completion of public testimony for the Querin Area (Expanded), Chair Booth instructed the Board with respect to procedures for closure (or continuation) of the hearing. The Board was provided with an option to close the hearing and to deliberate for a decision on the proposed Querin Area (Expanded) Annexation or an option to continue the hearing to obtain more information on the Querin Area (Expanded).

*Action: Roger Loschen moved and Lynn Guttman seconded a motion that the Boundary Review Board close the public hearing and begin deliberations on the City of Renton proposal to expand the Querin Area Annexation (7 acres) to include the Querin Area (Expanded) (17 acres) for a total annexation of approximately 24 acres. The Board adopted this motion by unanimous vote.*

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Chair Booth invited the Board members to begin deliberations to consider annexation of the proposed Querin/Querin Area (Expanded) Annexation.

Board members found that the evidence in the record demonstrated that the proposed Querin Area Annexation at 7 acres does not substantially advance the statutory authority of the Boundary Review Board (e.g., RCW 36.93 – the Board’s Enabling Act; 36.70A RCW – State Growth Management Act; King County Comprehensive Plan; City of Renton Comprehensive Plan). City of Renton representatives have provided to the Board data and documentation confirming municipal support for annexation, governance, and service of the entire Querin Area (Expanded).

Board members found that the evidence in the record demonstrated that the proposed Querin Area (Expanded) Annexation (at 24 acres) would be consistent with the State Growth Management Act (RCW 36.70A), the King County Comprehensive Plan, and the City of Renton Comprehensive Plan.

Board members found that the evidence in the record demonstrated that the proposed Querin Area (Expanded) Annexation (at 24 acres) would be consistent with the provisions of RCW 36.93. RCW 36.93.150 permits the Boundary Review Board to expand an annexation subject to compliance of that action with the statutory mandate.

RCW 36.93 (particularly RCW 36.93.170 and RCW 36.93.180) also sets particular criteria for evaluation of a proposed annexation. Board members found that the evidence in the record demonstrated that the proposed Querin Area (Expanded) Annexation (at 24 acres) would be consistent with the provisions of RCW 36.93.170/180 as follows:

- *Preservation of natural neighborhoods and communities:* The Querin Area (Expanded) annexation preserves and enhances an existing, well-defined neighborhood.
- *Use of Physical boundaries, including but not limited to bodies of water, highways, and land contours:* The Querin Area (Expanded) makes good use of existing physical borders including roadways (e.g., Hoquiam Avenue, Sunset Boulevard).
- *Creation and preservation of logical service areas:* Service to Querin Area (Expanded) would be improved by placing the entire area under a single municipal jurisdiction for provision of public services, including, police, fire, emergency aid, sewer, water, storm water management, and roads. Coordinated services would benefit the residents of Querin Area (Expanded), the City of Renton, and King County.
- *Prevention of abnormally irregular boundaries:* The proposed Querin Area Annexation (Expanded) provides for regular boundaries by the inclusion of an area that would otherwise be an isolated territory into an adjacent jurisdiction. The Querin Area (Expanded) boundaries would be more consistent with Renton’s Potential Annexation Area boundaries.
- *Discouragement of incorporations of small cities ... urban areas:* Not applicable.
- *Dissolution of inactive special purpose districts:* There are no known inactive special purpose districts in this area.
- *Adjustment of impractical boundaries:* The Querin Area (Expanded) Annexation, as a single, unified action, would create more reasonable and practical boundaries for governance and service. This modified annexation would eliminate the need for future incremental actions to govern and serve the Potential Annexation Area.
- *Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character:* King County has designated this area for urban development because of its location within the Urban Growth Area boundary. The County has also indicated a preference for immediate annexation of urban areas to provide for local governance and services.
- *Protection of agricultural and rural lands designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority:* No portions of the proposed annexation are designated for long term productive agricultural use in either the King County or Renton Comprehensive Plans.

Action: Roger Loschen moved and Lynn Guttmann that the Board direct staff to prepare for presentation to the Boundary Review Board a preliminary Resolution and Hearing Decision to accept, with modifications, the Querin Area (Expanded) Annexation at 24 acres. The motion was adopted by a unanimous vote.

The Resolution and Hearing Decision shall be presented to the Boundary Review Board for final action by no later than July 13, 2006.

## **VI. ADJOURNMENT**

Action: Ethel Hanis moved and Michael Marchand seconded a motion to adjourn the Special Meeting/Public Hearing of May 22, 2006. The motion passed by unanimous vote. Chair Booth adjourned the meeting at 8:20 P.M.